

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**BRIANNA RANDLE and  
SYWAYNE BURGESS,**

**Plaintiffs,**

**V.**

**THE PNC FINANCIAL SERVICES  
GROUP, *et al.*,**

### Defendants.

**Civil Action No. 4:23-cv-00263-O-BP**

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION**  
**OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made Findings, Conclusions, and a Recommendation in this case. No objections were filed, and the Magistrate Judge's Recommendation is ripe for review. The District Judge reviewed the proposed Findings, Conclusions, and Recommendation for plain error. Finding none, the undersigned District Judge believes that the Findings and Conclusions of the Magistrate Judge are correct, and they are accepted as the Findings and Conclusions of the Court.

Accordingly, it is **ORDERED** that the Motion to Dismiss filed by Defendant FNU Dixon (ECF No. 86) is **GRANTED**, Plaintiff Brianna Randle's excessive force claim against him is **DISMISSED**, her state-law battery claim is **DISMISSED without prejudice** to her right to refile in state court, and her request for summary judgment is **DENIED**.

**SO ORDERED** on this **19th day** of **August, 2024**.

  
Reed O'Connor  
UNITED STATES DISTRICT JUDGE